

HONORABLE DAVID W. CHRISTEL

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA, et al.,)	
)	
Plaintiffs,)	Case No. C70-9213-RSM-DWC
)	
v.)	Subproceeding No. 89-3-06 (Shellfish)
)	
STATE OF WASHINGTON, et al.,)	JOINT MOTION FOR ORDER
)	APPROVING SETTLEMENT
Defendants.)	AGREEMENT
)	
)	

The Parties identified below seek this Court's entry of an Order that approves the Parties' Settlement Agreement. The Parties to this Settlement Agreement are as follows:

Plaintiff Treaty Tribes: Tulalip, Stillaguamish, Sauk Suiattle, Puyallup, Squaxin Island, Upper Skagit, Nooksack, Nisqually, Lummi, Skokomish, Port Gamble S'Klallam, Lower Elwha S'Klallam, Jamestown S'Klallam, Suquamish, and Swinomish Tribes; Defendant State of Washington; Defendant Puget Sound Shellfish Growers Legal Defense Fund; and Defendant Russ' Shellfish Company.

The undersigned representatives of the Parties affirm and agree that the Settlement Agreement is fair and reasonable and, by the signatures of their representatives below, the Parties consent to and are bound by its terms. Each undersigned representative of the Parties to

JOINT MOTION FOR ORDER APPROVING SETTLEMENT	Squaxin Island Legal Department
AGREEMENT - 1	3711 SE Old Olympic Hwy
Case No. C70-9213-RSM-DWC, Subproceeding 89-3-06 (Shellfish)	Shelton, WA 98584
	(360) 432-1771

1 the Settlement Agreement certifies that he or she is fully authorized by that Party to execute
2 the terms and conditions of this Joint Motion for Order Approving Settlement Agreement, and
3 to legally bind such party to this Order and the Settlement Agreement. By their
4 representatives' signatures below, the Parties consent to the entry of this Order Approving the
5 Settlement Agreement.

6 The Makah, Muckleshoot and United States of America have each expressed no
7 objection to the Settlement Agreement or to the entry of an Order Approving the Settlement
8 Agreement. K. Lyon Declaration at ¶ 3 (May 14, 2020).

9 Respectfully submitted this 21st day of May, 2020.

10
11 **PUGET SOUND SHELLFISH GROWERS**
12 **LEGAL DEFENSE FUND**

13 /s/ Samuel W. Plauché
14 Samuel W. Plauché, WSBA #25476
15 Plauché & Carr LLP
16 811 First Avenue, Suite 630
17 Seattle, WA 98104
18 206.588.4188
19 billy@plauchecarr.com

20 Date: May 21, 2020

21 /s/ Robert M. Smith
22 Robert M. Smith, WSBA # 47674
23 Partner
24 K&L Gates LLP
25 925 Fourth Avenue, Suite 2900
26 Seattle, Washington 98104
Phone: (206) 370-5743
Robert.Smith@klgates.com

Date: May 21, 2020

RUSS' SHELLFISH COMPANY

/s/ Russell Norris

Russell Norris
3110 SE Old Olympic Hwy
Shelton, WA 98584
360.427.5676
rshelellfish@aol.com

Date: May 21, 2020

1 **STATE OF WASHINGTON**

2
3 /s/ Joseph V. Panesko

4 Joseph V. Panesko, WSBA # 25286
5 Michael Grossman, WSBA # 15293
6 Attorney General's Office
P.O. Box 40100
Olympia, WA 40100
360.586.3276

7 Date: May 21, 2020

8 **JAMESTOWN S'KLALLAM TRIBE**

9
10 /s/ Lauren Rasmussen

11 Lauren Rasmussen, WSBA # 33256
12 Law Offices of
13 Lauren Rasmussen, PLLC
14 1904 Third Avenue, Suite 1030
Seattle, WA 98101
206.623.0900
lauren@rasmussen-law.com

15 Date: May 21, 2020

16
17 **LOWER ELWHA SKALLAM TRIBE**

18
19 /s/ Stephen H. Suagee

20 Stephen H. Suagee, WSBA # 26776
21 2851 Lower Elwha Road
Port Angeles, WA 98363
360.461.2989
Steve.saugee@elwha.org

22
23 Date: May 21, 2020

LUMMI NATION

/s/ Cynthia Cartwright

Cynthia Cartwright, WSBA # 55756
2665 Kwina Road, Bldg C & D
Bellingham, WA 98226
360.312.2160
cynthiac@lummi-nsn.gov

Date: May 21, 2020

NISQUALLY INDIAN TRIBE

/s/ Jay. J. Manning

Jay J. Manning, WSBA No. 13579
Meghan E. Gavin,
WSBA No. 50124
Cascadia Law Group PLLC
1201 Third Avenue, Suite 320
Seattle, WA 98101
Telephone: (360) 786-5057
Facsimile: (360) 786-1835
jmmanning@cascadialaw.com;
mgavin@cascadialaw.com
Date: May 21, 2020

NOOKSACK INDIAN TRIBE

/s/ Charles N. Hurt, Jr.

Charles N. Hurt, Jr., WSBA # 46217
Senior Tribal Attorney
Office of Tribal Attorney
Nooksack Indian Tribe
5047 Mt. Baker Hwy., P.O. Box 63
Deming, WA 98244
360.592.4158 x 3356
churt@nooksack-nsn.gov

Date: May 21, 2020

JOINT MOTION FOR ORDER APPROVING SETTLEMENT
AGREEMENT - 5

Case No. C70-9213-RSM-DWC, Subproceeding 89-3-06 (Shellfish)

Squaxin Island Legal Department
3711 SE Old Olympic Hwy
Shelton, WA 98584
(360) 432-1771

PORT GAMBLE S'KLALLAM TRIBE

/s/ Lauren Rasmussen

Lauren Rasmussen, WSBA # 33256
Law Offices of
Lauren Rasmussen, PLLC
1904 Third Avenue, Suite 1030
Seattle, WA 98101
206.623.0900
lauren@rasmussen-law.com

Date: May 21, 2020

PUYALLUP TRIBE OF INDIANS

/s/ Sam Stiltner

Sam Stiltner, WSBA # 07765
Alec Wrolson WSBA #54076
Puyallup Tribe of Indians
3009 East Portland Avenue
Tacoma, WA 98404
360.573.7876
sams@puyallyptribe.com
alec.wrolson@puyalluptribe.com

Date: May 21, 2020

SAUK SUIATTLE

/s/ Jack W. Fiander

Jack W. Fiander, WSBA # 13116
5808A Summitview Avenue #97
Yakima, WA 98908
509.961.0096 or 509. 969.4436
townuklaw@msn.com

Date: May 21, 2020

**JOINT MOTION FOR ORDER APPROVING SETTLEMENT
AGREEMENT - 6**

Case No. C70-9213-RSM-DWC, Subproceeding 89-3-06 (Shellfish)

Squaxin Island Legal Department
3711 SE Old Olympic Hwy
Shelton, WA 98584
(360) 432-1771

SKOKOMISH INDIAN TRIBE

/s/ Earle D. Lees

Earle D. Lees, WSBA # 30017
N. 80 Tribal Center Road
Skokomish Nation, WA 98584
360.877.2100
eless@skokomish.org

Date: May 21, 2020

STILLAGUAMISH TRIBE OF INDIANS

/s/ Scott O. Mannakee

Scott O. Mannakee, WSBA # 19454
Tribal Attorney
3322 236th Street NE
Arlington, WA 98223
360.572.3028
smannakee@stillaguamish.com

Date: May 21, 2020

SQUAXIN ISLAND TRIBE

/s/ Kevin Lyon

Kevin Lyon, WSBA # 15076
Sharon Haensly, WSBA #18158
3711 SE Old Olympic Highway
Shelton, WA 98584
360.432.1771
klyon@squaxin.us
shaensly@squaxin.us

Date: May 21, 2020

SUQUAMISH TRIBE

/s/ Rit Bellis

Rit Bellis, WSBA # 29226
PO Box 498
Suquamish, WA 98392
360.394.8490
rbells@suquamish.nsn.us

Date: May 21, 2020

SWINOMISH INDIAN TRIBAL COMMUNITY

/s/ Emily Hutchinson Haley

Emily Hutchinson Haley, WSBA # 38284
11404 Moorage Way
LaConner, WA 98257
360.466.1134
ehutchinson@swinomish.nsn.us

Date: May 21, 2020

TULALIP TRIBES

/s/ Mason D. Morisset

Mason D. Morisset, WSBA # 00273
Morisset, Schlosser, Jozwiak
& Somerville
Suite 218 Colman Building
811 First Avenue
Seattle, Washington 98104
206.386.5200
mmorisset@msaj.com

Date: May 21, 2020

UPPER SKAGIT TRIBE

/s/ David S. Hawkins

JOINT MOTION FOR ORDER APPROVING SETTLEMENT
AGREEMENT - 8
Case No. C70-9213-RSM-DWC, Subproceeding 89-3-06 (Shellfish)

Squaxin Island Legal Department
3711 SE Old Olympic Hwy
Shelton, WA 98584
(360) 432-1771

1 David S. Hawkins, WSBA # 35370
General Counsel
2 Upper Skagit Indian Tribe
25944 Community Plaza Way
3 Sedro-Wooley, WA 98284
360.854.7016
4 dhawkins@UPPERSKAGIT.com

5
6 Date: May 21, 2020
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

JOINT MOTION FOR ORDER APPROVING SETTLEMENT AGREEMENT - 9
Case No. C70-9213-RSM-DWC, Subproceeding 89-3-06 (Shellfish)

Squaxin Island Legal Department
3711 SE Old Olympic Hwy
Shelton, WA 98584
(360) 432-1771